

Law Offices
MODRALL, SPERLING, ROEHL, HARRIS & SISK
A Professional Association

Joseph E. Roehl
Daniel A. Sisk
Allen C. Dewey, Jr.
John R. Cooney
Kenneth L. Harrigan
Peter J. Adang
Dale W. Ek
James M. Parker
Charles I. Wellborn
Dennis J. Falk
Arthur D. Melendres
James P. Houghton
Judy A. Fry
Paul M. Fish
Jeffrey W. Loubert
R. E. Thompson
Curtis W. Schwartz
Ruth M. Schifani
Thomas L. Johnson
Lynn H. Slade
Clifford K. Atkinson
Douglas A. Baker
Susan R. Stockstill
Beth R. Davenport
Larry P. Ausherman
John E. Heer III
J. Douglas Foster
Douglas R. Vadnais
Geoffrey D. Rieder
John S. Thal
Benjamin Silva, Jr.
Randall J. McDonald
Janet G. Perelson
Walter E. Stern III
Patrick J. Rogers
John A. Darden III
Duane E. Brown
Martha G. Brown
Paul Maestas
Janet R. Brazier
Robert Pampell
George F. Koinis
Neal E. Binczewski
Kevin T. Riedel
Eleanor K. Bratton
William C. Scott
Halsey L. Washburn
Tim L. Fields
Douglas G. Schneebeck
Kyle H. Moberly
Charles A. Armgardt
Kathryn D. Lucero
Timothy R. Van Valen
Earl E. DeBrine, Jr.
Timothy C. Holm
George R. McFall
Bonnie J. Paisley
Walter M. Hart III
William Reeves Keleher
Diane H. Mazur
Lisa Mann Burke
Jonathan L. Barela
Jean Marie Bannon
Stuart R. Butzier
Donald A. DeCandia
Gretchen B. Friedlander
R. Alfred Walker
Timothy J. DeYoung
William E. Frazier
Margaret L. Meister

August 30, 1991

VIA FAX MACHINE
415-744-1041

Ms. Linda Wandres
Environmental Protection Agency
Region IX
75 Hawthorne St.
San Francisco, California 94105

Re: Administrative Order No. 91-16, Including Addenda;
Written Confirmation of Respondents' August 28 Oral
Notice of Intention to Comply

Dear Linda:

On August 28, 1991, I timely notified you by telephone call that the Respondents intend to comply with the terms set forth in this Order, together with Addenda. This letter confirms that notice.

On August 5, 1991, the EPA issued the initial Administrative Order. On August 23, 1991, the EPA issued an Addendum to it and recognized in that Addendum that representatives of Respondents and the EPA were discussing an additional Addendum to incorporate technical and related considerations of items nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 of Respondents' Post-Conference Submittal to the EPA. Mr. Leftwich, on behalf of Respondents, and Mr. Bornstein, on behalf of EPA, have now agreed that, in the interests of brevity and time, the second addendum can consist of Mr. Bornstein's letter of August 15, 1991, a copy of which is attached. They also agreed upon the statements made by Respondents in those Post-Conference Submittal items listed above, but because of time constraints, they will not prepare a formal addendum incorporating this part of the agreement.

On the basis of this understanding, Respondents hereby confirm notice that they intend to comply with the Order, together with Addenda. Respondents expressly reserve and do not waive the positions, objections, and defenses stated in

Las Cruces Office:
505 South Main
Loretto Towne Centre, Suite 103
Post Office Box 578
Las Cruces, New Mexico 88004-0578
Phone: (505) 526-6655
Fax: (505) 526-6656

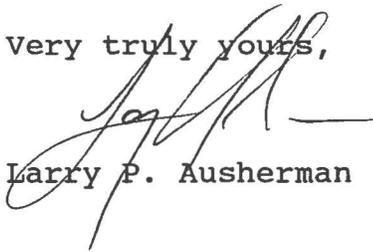
Reply To: Albuquerque Office:
500 Fourth Street NW
Sunwest Building, Suite 1000
Post Office Box 2168
Albuquerque, New Mexico 87103-2168
Phone: (505) 848-1800
Fax: (505) 848-1889

Santa Fe Office:
119 East Marcy
Suite 200
Post Office Box 9318
Santa Fe, New Mexico 87504-9318
Phone: (505) 983-2020
Fax: (505) 988-8996

Ms. Linda Wandres
August 30, 1991
Page 2

their Post-Conference Submittal. I trust you will finalize the issuance of the second Addendum in the form of the attached letter.

Very truly yours,



Larry P. Ausherman

LPA:cpc
cc: Tim Leftwich
Wayne Jarke
Dennis Cole

38587

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94105

August 15, 1991
Tim Leftwitch
Santa Fe Pacific Minerals Corporation
Box 27019
Albuquerque, New Mexico 87125

RE: EPA Order 91-16, Bluewater Uranium Mine Sites, Prewitt,
New Mexico.

Dear Mr: Leftwitch:

As discussed in our conference on 8/13/91, the Environmental Protection Agency ("EPA") understands that Cerrillos Land Company will act as the "lead" entity during the response action pursuant to EPA Order 91-16.

EPA is expecting to receive your draft Site Stabilization plan by August 23, 1991. As discussed at the conference, both EPA and Cerrillos agree to use a 1 meter height gamma measurement to ensure consistency throughout this project.

To ensure that each parties Ludlum instruments are reading accurately, EPA will have on-site a Reuters Stokes Pressure Ionization Chamber (PIC) for calibrations. The PIC is a highly sensitive instrument which accurately measures gamma radiation.

EPA will expect pursuant to the Order, weekly summaries of past and planned events. These reports can be hand delivered to OSC Bornstein in the field. The reports should be short and concise.

If you have any questions or concerns, please contact me at 415-744-2298.

Sincerely,



Robert E. Bornstein
Federal On-Scene-Coordinator

cc: Linda Wandres, ORC/Bill Weis, ERS
Mr. George Wagner, Cerrillos Land
Mr. Robert Kreds, ATSF Railway

Law Offices
MODRALL, SPERLING, ROEHL, HARRIS & SISK
A Professional Association

- James E. Sparling
- Joseph E. Kochl
- Daniel A. Sisk
- Allen C. Dewey, Jr.
- John R. Cooney
- Kenneth L. Harrigan
- Forse J. Adams
- Dale W. St.
- James M. Fisher
- Charles I. Willborn
- Dennis J. Falk
- Arthur D. Melendres
- James P. Houghston
- Judy A. Fry
- Paul M. Fish
- Jeffrey W. Linder
- R. E. Thompson
- Curtis W. Schwartz
- Ruth M. Schifano
- Thomas L. Johnson
- Lynn H. Shale
- Zachary L. McCormick
- Clifford K. Arkinson
- Douglas A. Baker
- Susan R. Stankatill
- Beth R. Drumport
- Larry P. Ausherman
- John E. Hear III
- J. Douglas Foster
- Douglas R. Vidrine
- Geoffrey D. Rinder
- John S. Thal
- Benjamin Silva, Jr.
- Randall J. McDonald
- Janet G. Peterson
- Walter E. Stern III
- Patrick J. Rogan
- John A. Dutton III
- Duane E. Brown
- Martha G. Brown
- Paul Meenas
- Janet R. Bostel
- Robert Pappell
- George F. Kniss
- Ned E. Binczewski
- Kevin T. Rudel
- Bleasner K. Brutton
- William C. Scott
- Halsey L. Washburn
- Tim L. Fields
- Douglas G. Schrederbeck
- Kyle H. Mohrly
- Charles A. Astorgue
- Katlynn D. Lucatto
- Timothy R. Van Velen
- Earl E. DeBrinc, Jr.
- Timothy C. Hales
- George R. McFall
- Bonnie J. Patsley
- Walter M. Hart III
- William Neaves Kolobec
- Diane H. Meaur
- Lisa Moran Baska
- Jonathan L. Basala
- John Marie Barron
- Steven J. Bussier
- Donald A. DeCandia
- Orestiano B. Pridemander
- R. Alfred Walker
- Timothy J. DeYoung
- William E. Francis
- Margaret L. Meister

TRANSMITTAL COVER LETTER

Page 1 of 2 pages

Date: 8-30
Time: 4

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME Linda Wandres CITY San Francisco

TELECOPIER NO.: 415-744-1041

FROM: Larry Ausherman Albuquerque, New Mexico

We are transmitting on a Sharp FO-6000, (Machine No. (505) 848-1889) which is compatible with a Group II and Group III telecopier.

If you have any problems receiving our telecopy, please phone: (505) 848-1800, Ext. 348

COMMENTS: _____

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the address below via the U.S. Postal Service. Thank you.

Las Cruces Office:
505 South Main
Loretto Towne Centre, Suite 103
Post Office Box 578
Las Cruces, New Mexico 88004-0578
Phone: (505) 526-6655
Fax: (505) 526-6656

Reply To: Albuquerque Office:
500 Fourth Street NW
Sunwest Building, Suite 1000
Post Office Box 2168
Albuquerque, New Mexico 87103-2168
Phone: (505) 848-1800
Fax: (505) 848-1889

Santa Fe Office:
119 East Marcy
Suite 200
Post Office Box 9318
Santa Fe, New Mexico 87504-9318
Phone: (505) 983-2020
Fax: (505) 988-8996

Law Offices
MODRALL, SPERLING, ROEHL, HARRIS & SISK
 A Professional Association

Joseph E. Rochl
 Daniel A. Sisk
 Allen C. Dewey, Jr.
 John R. Cooney
 Kenneth L. Harrigan
 Peter J. Adang
 Dale W. Ek
 James M. Pauler
 Charles I. Wellburn
 Dennis J. Falk
 Arthur D. Melendres
 James P. Houghton
 Judy A. Fry
 Paul M. Fish
 Jeffrey W. Loubet
 R. E. Thompson
 Curtis W. Schwanz
 Ruth M. Schmitt
 Thomas L. Johnson
 Lynn H. Smith
 Clifford K. Addison
 Douglas A. Butler
 Susan R. Stockstill
 Beth R. Devanport
 Larry F. Aulhausen
 John E. Hise III
 J. Douglas Foster
 Douglas R. Vialbur
 Cecily D. Rieder
 John S. Thiel
 Benjamin Silva, Jr.
 Randall J. McDonald
 Janet O. Ferrelon
 Walter E. Stern III
 Patrick J. Rogers
 John A. Daniels III
 Duane B. Brown
 Martha G. Brown
 Paul Masten
 Janet R. Brasel
 Robert Pappell
 George R. Koira
 Neal E. Blaszewski
 Kevin T. Ritschl
 Eleanor K. Beaton
 William C. Scott
 Haley L. Washburn
 Tim L. Fields
 Douglas G. Schnebeck
 Kyle H. Moberly
 Charles A. Amgardt
 Kathryn D. Lucero
 Timothy R. Van Velen
 Eiel E. DeBrose, Jr.
 Timothy C. Hahn
 George R. McFall
 Bonnie J. Pateley
 Wayne M. Hart III
 William Reeves Keleher
 Diane M. Mezur
 Lisa Mann Burke
 Jonathan L. Barols
 Jean Marie Bennon
 Stuart R. Butner
 Donald A. DeCandia
 Oranben B. Friedlander
 R. Alfred Walker
 Timothy J. DeYoung
 William E. Frazier
 Margaret L. Meiner

August 30, 1991

VIA FAX MACHINE
 415-744-1041

Ms. Linda Wandres
 Environmental Protection Agency
 Region IX
 75 Hawthorne St.
 San Francisco, California 94105

Re: Administrative Order No. 91-16, Including Addenda;
 Written Confirmation of Respondents' August 28 Oral
 Notice of Intention to Comply

Dear Linda:

On August 28, 1991, I timely notified you by telephone call that the Respondents intend to comply with the terms set forth in this Order, together with Addenda. This letter confirms that notice.

On August 5, 1991, the EPA issued the initial Administrative Order. On August 23, 1991, the EPA issued an Addendum to it and recognized in that Addendum that representatives of Respondents and the EPA were discussing an additional Addendum to incorporate technical and related considerations of items nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, and 12 of Respondents' Post-Conference Submittal to the EPA. Mr. Leftwich, on behalf of Respondents, and Mr. Bornstein, on behalf of EPA, have now agreed that, in the interests of brevity and time, the second addendum can consist of Mr. Bornstein's letter of August 15, 1991, a copy of which is attached. They also agreed upon the statements made by Respondents in those Post-Conference Submittal items listed above, but because of time constraints, they will not prepare a formal addendum incorporating this part of the agreement.

On the basis of this understanding, Respondents hereby confirm notice that they intend to comply with the Order, together with Addenda. Respondents expressly reserve and do not waive the positions, objections, and defenses stated in

Las Cruces Office:
 505 South Main
 Loretto Towne Centre, Suite 103
 Post Office Box 578
 Las Cruces, New Mexico 88004-0578
 Phone: (505) 526-6655
 Fax: (505) 526-6656

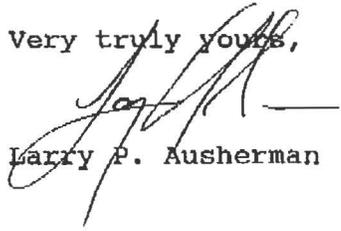
Reply To: Albuquerque Office:
 500 Fourth Street NW
 Sunwest Building, Suite 1000
 Post Office Box 2168
 Albuquerque, New Mexico 87103-2168
 Phone: (505) 848-1800
 Fax: (505) 848-1889

Santa Fe Office:
 119 East Marcy
 Suite 200
 Post Office Box 9318
 Santa Fe, New Mexico 87504-9318
 Phone: (505) 983-2020
 Fax: (505) 988-8996

Ms. Linda Wandres
August 30, 1991
Page 2

their Post-Conference Submittal. I trust you will finalize the issuance of the second Addendum in the form of the attached letter.

Very truly yours,



Larry P. Ausherman

LPA:cpc
cc: Tim Leftwich
Wayne Jarke
Dennis Cole
38587

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 HAWTHORNE STREET
SAN FRANCISCO, CA 94103

August 15, 1991
Tim Leftwitch
Santa Fe Pacific Minerals Corporation
Box 27019
Albuquerque, New Mexico 87125

RE: EPA Order 91-16, Bluewater Uranium Mine Sites, Prewitt,
New Mexico.

Dear Mr: Leftwitch:

As discussed in our conference on 8/13/91, the Environmental Protection Agency ("EPA") understands that Cerrillos Land Company will act as the "lead" entity during the response action pursuant to EPA Order 91-16.

EPA is expecting to receive your draft Site Stabilization plan by August 23, 1991. As discussed at the conference, both EPA and Cerrillos agree to use a 1 meter height gamma measurement to ensure consistency throughout this project.

To ensure that each parties Ludlum instruments are reading accurately, EPA will have on-site a Reuters Stokes Pressure Ionization Chamber (PIC) for calibrations. The PIC is a highly sensitive instrument which accurately measures gamma radiation.

EPA will expect pursuant to the Order, weekly summaries of past and planned events. These reports can be hand delivered to OSC Bornstein in the field. The reports should be short and concise.

If you have any questions or concerns, please contact me at 415-744-2298.

Sincerely,



Robert E. Bornstein
Federal On-Scene-Coordinator

cc: Linda Wandres, ORC/Bill Weis, ERS
Mr. George Wagner, Cerrillos Land
Mr. Robert Kreds, ATSF Railway